

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DELAWARE MARKETING PARTNERS,)
Plaintiff,)
vs.) C.A. No. 04-263 Erie
CREDITRON FINANCIAL SERVICES,) District Judge McLaughlin
et al.) Magistrate Judge Baxter
Defendants.)

O R D E R

AND NOW, this 13th day of June, 2006;

IT IS HEREBY ORDERED that Defendants' Motion to Compel Discovery [Document # 57] is DENIED as the relevant issue is whether the lists were deficient, not how they may have become that way;

IT IS FURTHER ORDERED that Plaintiff's Motion For Protective Order Regarding Defendants' Motion To Compel Discovery [Document # 61] is DISMISSED as moot in light of the ruling on Document # 57;

IT IS FURTHER ORDERED that Plaintiff's Consented To Motion To Revise Case Management Order [Document # 60] is GRANTED insofar as the discovery deadline is extended to June 30, 2006, all other dates remaining in effect;

IT IS FURTHER ORDERED that Defendants' Motion For Protective Order [Document # 64] is DENIED in part and GRANTED in part as follows: Defendants' motion to quash or to limit the scope of the subpoenas is DENIED as without standing; and Defendants' motion to protect proprietary and/or confidential information received by the parties pursuant to the non-party subpoenas is GRANTED. Proposed terms of the Protective Order are to be submitted to the Court by June 23, 2006, and will include a procedure by which information to be protected is designated by the parties, as well as a procedure by which objections to designations may be made.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE

cc: all parties of record (lw)